

1 THE HONORABLE JOHN C. COUGHENOUR
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 MCKENNA DANILO BERNARDO,

14 Defendant.

CASE NO. CR20-0114-JCC

ORDER

15 This matter comes before the Court on the Government's motion (Dkt. No. 57) for a final
16 order of forfeiture for the following property:

17 1. One Apple iPad, serial number F9FZD2LQMDG1;
18 2. One Apple iPhone;
19 3. One SanDisk 16GB Memory Card; and
20 4. Any and all images of child pornography, in whatever format and however stored.

21 The Court, having reviewed the Government's motion, the supporting documents, and the
22 other pleadings and papers on file, HERBY FINDS that entry of a final order of forfeiture is
23 appropriate because:

24 • In the Plea Agreement that Defendant Bernardo entered on November 25, 2020, he
25 agreed to forfeit his interest in the above-identified property because it was used to
26 commit or to promote his commission of his *Possession of Child Pornography*, in

1 violation of 18 U.S.C. §§ 2252(a)(4)(B) and 2252(b)(2), to which he entered a guilty
2 plea (Dkt. No. 35, ¶ 12);

3 • On April 19, 2021, the Court entered a Preliminary Order of Forfeiture, finding the
4 above-identified property forfeitable under 18 U.S.C. § 2253(a) and forfeiting the
5 Defendant's interest in it (Dkt. No. 45);
6 • Thereafter, the United States published notice of the pending forfeiture as required by
7 21 U.S.C. § 853(n)(1) and Federal Rule of Criminal Procedure ("Fed. R. Crim. P.")
8 32.2(b)(6)(C), (see Dkt. No. 49), and provided direct notice to a potential claimant as
9 required by Fed. R. Crim. P. 32.2(b)(6)(A), (see Dkt. No. 57-1); and
10 • The time for filing third-party petitions has expired, and none were filed.

11 NOW, THEREFORE, THE COURT ORDERS:

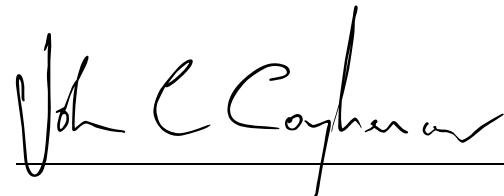
12 1. No right, title, or interest in the above-listed property exists in any party other
13 than the United States;

14 2. The property is fully and finally condemned and forfeited, in its entirety, to the
15 United States; and

16 3. The United States Department of Homeland Security, and/or its representatives,
17 are authorized to dispose of the property in accordance with the law.

18 IT IS SO ORDERED this 12th day of November 2021.

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John C. Coughenour
UNITED STATES DISTRICT JUDGE